

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Allison Greene	Team: Team # 7	CCRB Case #: 200105064	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Friday, 06/29/2001 8:30 PM	Location of Incident: 120 E 119th Street at the 25th Precinct station house	Precinct: 25	18 Mo. SOL 12/29/2002	EO SOL 12/29/2002	
Date/Time CV Reported Fri, 06/29/2001 8:50 PM	CV Reported At: IAB	How CV Reported: Mail	Date/Time Received at CCRB Mon, 07/09/2001 1:26 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Joseph Callahan	28275	903540	025 PCT
2. SGT Christopher McCormack	04729	895704	025 PCT
3. An officer			

Officer(s)	Allegation	Investigator Recommendation
A. An officer	Force: An officer struck § 87(2)(b) with a radio.	
B.SGT Christopher McCormack	Force: Sergeant Christopher McCormack used physical force against § 87(2)(b)	
C.POM Joseph Callahan	Force: PO Joseph Callahan used physical force against § 87(2)(b)	

### Summary of Complaint

On June 29, 2001 around 8:50PM, Captain Cassidy of Patrol Borough Manhattan North placed a phone call to the Internal Affairs Bureau (IAB) to report that a prisoner, identified as § 87(2)(b) had been arrested for trespassing by PO Carreras of the 25<sup>th</sup> Precinct station house. Once inside the station house, § 87(2)(b) proceeded to bang his head against the wall causing profuse bleeding. The captain stated that officers rushed into the holding cell, pepper-sprayed § 87(2)(b) to ensure his safety and transported him to § 87(2)(b) Hospital.

On June 29, 2001 at 10:00PM, IAB investigators Detective Francisco Merren and Detective Lopez responded to § 87(2)(b) Hospital to interview the complainant. § 87(2)(b) initially refused to speak with the IAB investigators. After further questioning, § 87(2)(b) stated that police officers hit him causing a cut to his head. § 87(2)(b) stated that the police officers hit him with something, but he wasn't sure what they hit him with. § 87(2)(b) then stated that he believed that the officers had hit him with a radio, but refused to answer how police officers hit him nor would he identify the location of the incident. § 87(2)(b) refused to answer more of the IAB investigators' questions and told them to 'leave him alone'.

Following this interview, the IAB investigators spoke with § 87(2)(b)'s doctor who stated that she treated the complainant for a laceration to the head which didn't require stitches or X-rays.

*(During the above interview, IAB investigators took three photographs of § 87(2)(b) appears to have a laceration to the top of his head.)*

This case was referred to the CCRB on July 9, 2001. At this time, § 87(2)(b) was being held in the § 87(2)(b) of § 87(2)(b) Hospital. The investigator arranged to interview the complainant at § 87(2)(b) Hospital on July 30, 2001. However, the interview was postponed as § 87(2)(b) wasn't sure that § 87(2)(b) was § 87(2)(b) provide a statement to the investigator. On § 87(2)(b), § 87(2)(b) placed a phone call to the investigator and stated that § 87(2)(b) had been released from the hospital. The hospital security officer provided an alternate contact address for the complainant.

From July 13, 2001 to October 29, 2001, five contact letters were sent to § 87(2)(b) at his home address. **(Please Note: The CCRB was closed from September 11, 2001 to October 29, 2001 due to the attack on the World Trade Center.)** On October 29, 2001, the investigator received IAB's full case file which provided a contact telephone number for § 87(2)(b). The investigator spoke with § 87(2)(b) on November 1, 2001. Initially, § 87(2)(b) stated that he couldn't recall any interaction with police officers. § 87(2)(b) then told the investigator that he needed to 'search for some papers'. § 87(2)(b) returned to the telephone and stated that two officers, whom he identified as PO Callahan and PO

McCormick of the 25<sup>th</sup> Precinct station house, hit his head against the bars of the holding cell. § 87(2)(b) stated that he didn't receive any stitches to his head as a result of this incident. The complainant noted that his head § 87(2)(g) is 'all messed up' and that he takes medication for his mental problems.

At this time, a CCRB interview was arranged with § 87(2)(b) for November 7, 2001. § 87(2)(b) missed this interview and didn't place a phone call to the investigator. A missed appointment letter was sent to § 87(2)(b) on November 7, 2001. On November 7, 2001, the investigator placed a phone call to § 87(2)(b) and a second interview was arranged for November 12, 2001 at the CCRB. § 87(2)(b) missed this interview and did not place a phone call to the investigator. On November 9, 2001, a phone call was placed to the complainant and a message was left on his answering machine. To date, no contact has been made with § 87(2)(b)

§ 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: